

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*  
Track 8 – 1:18-op-45817  
Track 9 – 1:18-op-45274

MDL 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**STIPULATED ORDER ENTERING STAY AND MODIFYING TRACKS 8 AND 9  
DEADLINES AS TO PUBLIX AND ALBERTSONS<sup>1</sup>**

By stipulation of plaintiffs Cobb County, Georgia and Tarrant County, Texas (“Plaintiffs”), and Defendants Publix Super Markets, Inc. (“Publix”) and Albertsons (“Defendants”), in these actions are hereby stayed for 45 days until Friday December 8, 2023, except for the pending motion to compel discovery from Texas State agencies brought by Albertsons in Track 9, which is currently before the Special Master. Upon expiration of the stay, the parties will confer and submit proposed modifications to the Tracks 8-9 discovery and other deadlines set forth in the Court’s September 22, 2023, Order Modifying Tracks 8 & 10 Case Management Orders for Tracks Eight and Order Modifying Track 9 Case Management Order,<sup>2</sup> tracking the schedule in existence prior to the stay to the greatest extent possible, and will seek the Court’s approval of a modified

<sup>1</sup> These Defendants are: Publix Super Markets, Inc. in Track 8 and Albertson Companies, Inc., Albertson’s LLC, Safeway, Inc., Randall’s Food & Drug LP and United Supermarkets L.L.C. d/b/a The United Family (collectively, “Albertsons”) in Track 9.

<sup>2</sup> See ECF No. 5143, Case No. 1:17-md-2804 and ECF No. 5202, Case No. 1:17-md-2804

schedule. This stipulation applies solely to the deadlines in Tracks 8 and 9 as to Publix and Albertsons only.

Dated: October 25, 2023

Respectfully submitted,

*Plaintiffs' Co-Lead Counsel*

/s/ Jayne Conroy  
Jayne Conroy  
SIMMONS HANLY CONROY  
112 Madison Avenue, 7th Floor  
New York, NY 10016  
(212) 784-6400  
jconroy@simmonsfirm.com

Joseph F. Rice  
MOTLEY RICE LLC  
28 Bridgeside Blvd.  
Mt. Pleasant, SC 29464  
(843) 216-9000  
(843) 216-9290 (Fax)  
jrice@motleyrice.com

Paul T. Farrell, Jr., Esq.  
FARRELL & FULLER LLC  
1311 Ponce de Leone Ave., Suite 202  
San Juan, PR 00907  
(304) 654-8281  
paul@farrellfuller.com

*Plaintiffs' Liaison Counsel*

/s/ Peter Weinberger  
Peter Weinberger  
SPANGENBERG SHIBLEY & LIBER, LLP  
1001 Lakeside Avenue, E, Suite 1700  
Cleveland, OH 44114  
(216) 696-3232  
(216) 696-3924 (Fax)  
pweinberger@spanglaw.com

**Counsel for Cobb County, GA (CT8):**

Jayne Conroy  
SIMMONS HANLY CONROY LLP  
112 Madison Avenue, 7th Floor  
New York, NY 10016  
(212) 784-6400  
jconroy@simmonsfirm.com

Sarah S. Burns  
Jo Anna Pollock  
SIMMONS HANLY CONROY LLP  
One Court Street  
Alton, IL 62002  
(618) 259-2222  
sburns@simmonsfirm.com  
jpollock@simmonsfirm.com

Erin K. Dickinson  
Charles J. Crueger  
CRUEGER DICKINSON LLC  
4532 N. Oakland Avenue  
Whitefish Bay, WI 53211  
(414) 210-3868  
ekd@cruegerdickinson.com  
cjc@cruegerdickinson.com

COBB COUNTY ATTORNEY'S OFFICE  
H. William Rowling, Jr.  
County Attorney  
Lauren Bruce  
Assistant County Attorney  
100 Cherokee Street, Suite 300  
Marietta, GA 30090  
(770) 528-4000  
H.William.Rowling@cobbcounty.org  
Lauren.Bruce@cobbcounty.org

**Counsel for Tarrant County, TX (CT9):**

W. Mark Lanier  
THE LANIER LAW FIRM  
10940 W. Sam Houston Parkway N.  
Houston, TX 77064  
(713) 659-5200  
mark.lanier@lanierlawfirm.com

Evan Janush  
THE LANIER LAW FIRM  
535 Madison Ave., 12th Floor  
New York, NY 10022  
(212) 421-2800  
evan.janush@lanierlawfirm.com

Tom Hall  
THE LAW OFFICES OF TOM HALL  
2605 Airport Freeway, Suite 100  
Fort Worth, TX 76111  
docket@opioidcounsel.com

**Counsel for Publix:**

Meredith Thornburgh White (IN 28094-49)  
Kara M. Kapke (IN 25906-49)  
BARNES & THORNBURG LLP  
11 South Meridian Street  
Indianapolis, Indiana 46204  
Telephone: (317) 236-1313  
Facsimile: (317) 231-7433  
mwhite@btlaw.com  
kkapke@btlaw.com

**Counsel for Albertsons:**

Francis A. Citera  
Gretchen N. Miller  
GREENBERG TRAURIG, LLP  
77 W. Wacker Drive, Suite 3100  
Chicago, IL 60601  
(312) 456-8400  
Email: citeraf@gtlaw.com  
Email: millerg@gtlaw.com

**IT IS SO ORDERED.**

Dated: 10/25/2023

s/ Dan Aaron Polster

Dan Aaron Polster  
U.S. District Judge